Docket No. PUR-020
Serial No. 10/735,352

PATENT APPLICATION

REMARKS/ARGUMENTS

This is in full and timely response to the nonfinal Office Action dated November 8, 2005 (Paper No. 11072005). Reconsideration of the Examiner's rejections in the Office Action are respectfully requested in view of the foregoing amendments and the following remarks.

By the foregoing amendment, claim 50 has been cancelled, and claims 28, 36 and 51 have been amended. Claims 2, 3, 5, 6, 24, 28, 29, 31, 32, 36, 37 and 51 remain pending in this application.

Rejection of Claims 5, 6, 24, 28, 29, 31, 32, 36 and 37 Based on Bourrieres

Claims 5, 6, 24, 28, 29, 31, 32, 36 and 37 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Bourrieres (U.S. Patent No. 4,878,984). To the extent that this rejection might still be applied to the claims as amended, it is respectfully traversed for the following reasons.

Bourrieres discloses a method of wrapping a cylindrical member, such as a pole 1 for supporting electric power transmission lines, with a web of fiber slivers 8, 9, 10. The apparatus includes a means for supplying the web of fiber slivers 8, 9, 10, and a means 11 whereby the slivers 8, 9, 10 are displaced along the pole 1 from the lower end to the upper end in a direction parallel to the axis of the pole 1 while the pole 1 is being driven in rotation. The method involves winding the filaments 8, 9, 10 around the pole member 1 from the bottom end to the top end, and then back to the bottom end in a continuous operation.

The means for displacing the slivers 8, 9, 10 in Bourrieres include bodies 14a, 14b that

are slidably mounted on a threaded rod 12 and have forks 21a, 21b for guiding the displacement of the fiber slivers 8, 9, 10. Although the forks 21a, 21b in Bourrieres appear to have a filament engaging surface that lies in a plane which is generally perpendicular to a longitudinal axis of the pole 1, the forks 21a, 21b function in a substantially different way from the guide assembly in the Applicant's claimed invention.

In the Applicant's invention, the guide assembly 66 (Fig. 15) has a filament engaging surface 67 that is generally perpendicular to the longitudinal axis of the core member 65. In addition, the filament engaging surface 67 is arranged and used in such a way that a group 60 of filaments 61-64 is caused to be oriented into a plane which is generally perpendicular to a longitudinal axis of the core member 65, and then the group 60 of filaments are naturally reoriented and packed tightly against one another as the group 60 of filaments are wound onto the core member 65. To emphasize this feature, independent claim 28 has been amended to include the following additional limitation:

> further comprising the step of passing the group of filaments through the guide assembly to orient the group of filaments into the plane which is generally perpendicular to the longitudinal axis of the core member, and causing the filaments to be naturally reoriented into a plane which is generally parallel to the longitudinal axis of the core member and packed tightly against one another as the group of filaments are wound onto the core member

A similar amendment was made to independent claim 36. Support for this feature of the Applicant's invention can be found, for example, in paragraph Nos. 0044 to 0046 of the specification, in Fig. 15 of the drawings, and in previously added claim 51.

As amended, claims 28 and 36 clearly distinguish the Applicant's invention from the

prior art teachings of Bourrieres. In Bourrieres, the fiber slivers 8, 9, 10 are oriented in a plane which is generally parallel to the longitudinal axis of the cylinder 27 and the pole 1 as the fiber slivers 8, 9, 10 pass through the forks 21a, 21b. In contrast, the filament groups 60 in the Applicant's claimed invention are oriented in a plane which is generally perpendicular to the longitudinal axis of the core member 65. Moreover, the fiber slivers 8, 9, 10 in Bourrieres remain oriented in the same parallel plane as they pass through the forks 21a, 21b and onto the pole 1. The fiber slivers 8, 9, 10 in Bourrieres are not reoriented from a perpendicular plane into a parallel plane, as in the Applicant's claimed invention.

Moreover, there appears to be no teaching in Bourrieres that each of the fiber slivers 8, 9, 10 is "a group of filaments" that are positioned side-by-side and packed tightly against one another as they are wound onto the pole. Instead, the fiber slivers 8, 9, 10 in Bourrieres appear to enter the forks 21a, 21b in the same form and orientation as they are wound onto the pole 1. Moreover, it is respectfully submitted that the teachings of Bourrieres are concerned with wrapping large cylindrical members (e.g., poles for supporting electric power lines), and therefore would seem to have little relevance to the Applicant's claimed invention for making a catheter.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 5, 6, 24, 28, 29, 31, 32, 36 and 37 under 35 U.S.C. 102(b) based on Bourrieres.

Rejection of Claims 2, 3, 50 and 51 Based on Bourrieres in View of Goldsworthy et al.

Claims 2, 3, 50 and 51 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Bourrieres in view of Goldsworthy et al. (U.S. Patent No. 3,701,489). The Examiner contends that Bourrieres teaches the claimed invention, except for the step of anchoring the filaments. The Examiner relies upon Goldsworthy et al. for a teaching of this feature. To the extent this rejection might still be applied to the claims as amended, it is respectfully traversed for the following reasons.

Claims 2 and 3 depend, directly or indirectly, upon claim 28, and are believed to be patentable for at least the same reasons explained above regarding claim 28. Claim 50 has been cancelled, and claim 51 has been rewritten into independent form.

With regard to the rejection of claim 51, it is respectfully submitted that the combined teachings of Bourrieres and Goldsworthy et al., taken as a whole, fail to teach or suggest the claimed invention for at least the same reasons explained above regarding the rejection of claims 28 and 36 based on Bourrieres. Claim 51, as amended, includes a limitation similar to the limitations added to claims 28 and 36 by this amendment.

In addition, it is noted that Goldsworthy et al. teaches an apparatus for winding filament about a mandrel in the manufacturing of containers. Neither Bourrieres nor Goldsworthy et al. disclose methods for making catheters. As such, neither of these references teach or suggest the Applicant's claimed method of making a catheter, nor the step of anchoring a group of filaments to a core member at a proximal end of the catheter.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the

rejection of claims 2, 3, and 51 based on Bourrieres in view of Goldsworthy et al.

Conclusion

For at least the foregoing reasons, it is respectfully submitted that all of the pending claims in this application are patentable over the applied prior art, and that this application is now in condition for allowance. Early issuance of a Notice of Allowance is respectfully requested.

If the Examiner has any comments or suggestions that could place this application into even better form, the Examiner is encouraged to contact the Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted by:

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